IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 13643 of 2004

Between:

Sri A.Jesudass, S/o.Sri Vasudevan,
R/o.H.No.43, 1st street, Rajamangalam, Valivakkam,
Chennai-49.

..... PETITIONER

AND

1 Sri T.Ashok Vardhan, Sub-Inspector of police, I Town Police Station,
Chirala, Prakasam District, Andhra Pradesh.

2 The Superintendet of police, Prakasam District, Ongole.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, direction or order, more particularly one in the nature of a writ of Habeas Corpus, directing the Respondents to produce Sri A.Nagaraju, brother of the petitioner along with Sri benjamin, residents of Chennai before this Honorable Court and release them, at liberty and pass such other order or orders.

Counsel for the Petitioner:MR.SIVARAJU SRINIVAS

Counsel for the Respondent Nos. 1 and 2: THE ADVOCATE GENERAL

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

Sri Ashok Vardhan Reddy, Sub-Inspector of Police, I Town Police Station, Chirala, Prakasam District has filed affidavit in reply denying the allegations made in the petition that alleged detenus, A. Nagaraju and Benjamin have been detained or are under illegal detention of the police.

The affidavit filed by the 1st respondent makes a reference to various similar petitions filed by the detenus. It further states that in order to avoid arrest, this petition has been filed by the alleged detenus who were having criminal record.

Petitioner alleged that he received information from his sister about the alleged detention by the respondent-police.

Petition is not based on personal knowledge or on the affidavit of petitioner's sister. While accepting the version of the respondents, we close the petition on the ground that there is no supporting material placed before us, on the basis of which, we may come to a conclusion that what is stated by the respondent-police is incorrect.

The petition is accordingly closed.

_____

DEVINDER GUPTA, CJ

Date: 9th August, 2004

_____

C.V.RAMULU,J

Pnb

To

1 The Sub-Inspector of Police, Chirala I Town PS., Chirala Mandal, Prakasam District.

2 The Superintendent of Police, Ongole, Prakasam District.

3. The Concerned Officer, PIL Section, High Court Buildings, Hyderabad.

4. Two C.cs. to the Advocate General, High Court Buildings, H Hyderabad.(OUT)

5. Two C.D. Copies